

AG Contract No. KR98 0655TRN  
ADOT ECS File No. JPA 98-51  
Project: P0300 02P/\$26,000.00  
G4963 02P/\$3,000.00-G4963 03P/\$6,000.00  
Section: Cottonwood Area  
Transportation Study

INTERGOVERNMENTAL AGREEMENT  
BETWEEN  
THE STATE OF ARIZONA  
AND  
THE CITY OF COTTONWOOD

THIS AGREEMENT is entered into 3 June, 1998,  
pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the  
STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State")  
and the CITY OF COTTONWOOD, acting by and through its MAYOR and CITY COUNCIL, (the "City").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The City is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the City.

3. The State and the City desire to jointly participate in selecting and hiring a consultant to conduct a Cottonwood area transportation study, all in accordance with the Scope of Work, which is attached hereto as Exhibit A and made a part hereof, at an estimated cost of \$70,000.00, hereinafter referred to as the Project.

THEREFORE, in consideration of the mutual covenants expressed herein, it is agreed as follows:

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NO. 22400

Filed with the Secretary of State

Date Filed: 06/03/98

Betty Gayles

Secretary of State

By: Nicky Greenwald

## II. SCOPE

### 1. The State will:

a. Using State approved procurement procedures, participate with the City in the selection of a professional engineering transportation planning consultant to accomplish the Project.

b. Review Project progress reports and submittals and provide comments to the City or the consultant as appropriate. Review and approve the final report prior to the City's final payment to the consultant.

c. Contribute a maximum of \$35,000.00 to the Project. Be responsible for any consultant claims for extra compensation attributable to the State.

d. No more often than monthly, reimburse the City on an actual cost basis, in a total amount not to exceed \$35,000.00, within 30 days after receipt and approval of invoices.

### 2. The City will:

a. Using State approved procurement procedures, advertise for, and with the concurrence of the State, select and hire a professional transportation planning consultant to accomplish the Project. Be the lead agency for the Project. Strictly comply with all state and federal procurement laws, rules and procedures.

b. Provide the State timely copies of Project progress reports and submittals, and insure the incorporation of State review comments. Provide the State a copy of the final report, and obtain the State's approval prior to making final payment to the consultant. Accept the final report on behalf of the parties hereto.

c. Be responsible for all Project costs over and above the State's share of \$35,000.00, in an amount currently estimated at \$35,000.00, and for any consultant claims for extra compensation attributable to the City.

d. No more often than monthly, invoice the State, in the form of Exhibit B, on an actual cost basis, with no profit or fee, in a total amount not to exceed \$35,000.00, for the State's share of the project.

## III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project and reimbursements; provided, however, that this agreement may be cancelled at any time prior to the award of a Project consultant contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation  
Joint Project Administration  
205 South 17 Avenue, Mail Drop 616E  
Phoenix, AZ 85007

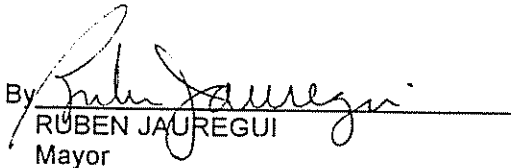
City of Cottonwood  
City Manager  
827 N. Main Street  
Cottonwood, AZ 86326

7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written

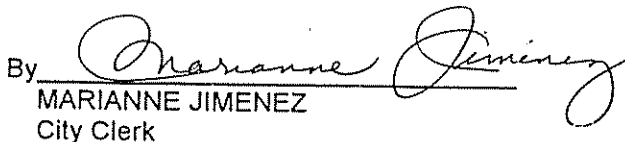
CITY OF COTTONWOOD

STATE OF ARIZONA  
Department of Transportation

By   
RUBEN JAUREGUI  
Mayor

By   
JAY KLAGGE, Director  
Transportation Planning

ATTEST

By   
MARIANNE JIMENEZ  
City Clerk

RESOLUTION

BE IT RESOLVED on this 6th day of April 1998, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with the City of Cottonwood for the purpose of defining responsibilities for conducting a Cottonwood Small Area Transportation Study.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Director of Transportation Planning for approval and execution.

A handwritten signature in black ink, appearing to read 'D. Allocco', is written over a horizontal line.

DAVID ALLOCCO, Manager  
Engineering Technical Group  
for Mary E. Peters, Director

RESOLUTION NUMBER 1674

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, ENTERING INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION TO CONDUCT A COTTONWOOD AREA TRANSPORTATION STUDY.

WHEREAS, the State is empowered by A.R.S. §28-401 and 28-334 to enter into the proposed Intergovernmental Agreement to conduct a Cottonwood area transportation study; and

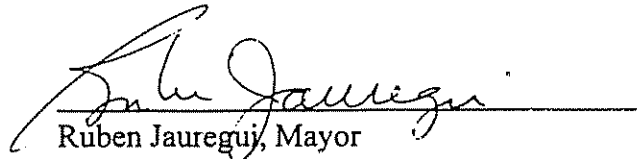
WHEREAS, the City is empowered by Arizona Revised Statutes Section 48-572 to enter into this agreement; and

WHEREAS, the State and the City desire to jointly participate in selecting and hiring a consultant to conduct a Cottonwood area transportation study in accordance with the Scope of Work set forth in the proposed Intergovernmental Agreement.

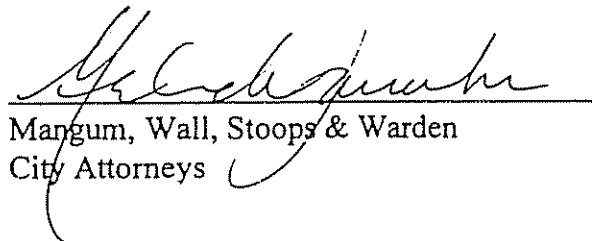
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA:

THAT, the intergovernmental agreement with State of Arizona, Department of Transportation, to conduct a Cottonwood area transportation study is hereby approved, and the Mayor is hereby authorized to sign the agreement.

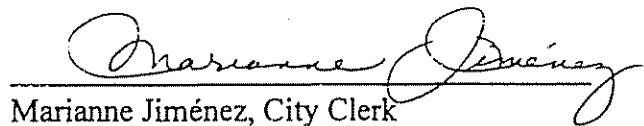
PASSED AND ADOPTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF COTTONWOOD, YAVAPAI COUNTY, ARIZONA, THIS 5TH DAY OF MAY, 1998.

  
Ruben Jauregui, Mayor

APPROVED AS TO FORM:

  
Mangum, Wall, Stoops & Warden  
City Attorneys

ATTEST:

  
Marianne Jiménez, City Clerk

APPROVAL OF THE COTTONWOOD CITY ATTORNEY

I have reviewed the above referenced proposed intergovernmental agreement, between the DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION, and the CITY OF COTTONWOOD and declare this agreement to be in proper form and within the powers and authority granted to the City under the laws of the State of Arizona.

DATED this 16<sup>th</sup> day of April, 1998.

Melinda J. Anderson, for  
City Attorney Morgan, Wall, Stoops & Anderson, P.L.L.C.

## **I. OVERVIEW**

Proposals are requested for a transportation study update for the City of Cottonwood and its surroundings. The study area includes the corporate limits of Cottonwood and Clarkdale and the neighboring unincorporated portions of Bridgeport and Verde Village (see Exhibit 1).

This study will update and replace the Cottonwood Area Transportation Plan prepared in 1987. Significant population growth and economic development in the study area require comprehensive planning to address growing demands placed on the transportation system. The rapid growth also requires an examination of transit needs and opportunities.

The major products of the study will be a five-year plan for improvements, a ten-year program of projects, and a long-range transportation plan. The contract shall not exceed \$70,000.

## **II. ADMINISTRATION**

A Technical Advisory Committee has been established to closely coordinate the study. The following agencies are represented on this Committee:

- |                      |         |
|----------------------|---------|
| o City of Cottonwood | o NACOG |
| o Town of Clarkdale  | o ADOT  |
| o Yavapai County     |         |

The Technical Advisory Committee will review and provide comments on the products of the study. Reasonable comments and requests by the Committee and Project Manager will be incorporated into the final report. Mr. Robert Hardy, Staff Engineer, City of Cottonwood will serve as Project Manager.

## **III. SCOPE OF WORK**

The results of each work task will be submitted to and reviewed by the Technical Advisory Committee. The following are suggested work tasks.

### **TRANSPORTATION ELEMENT**

1. **Refine the Work Plan** - To insure the consultant and the Technical Advisory Committee are in accord regarding the scope of study, the first task will be to present a detailed work plan and project schedule to the Committee for review and comment. This task will include presentation of a map showing the study area boundaries and all major roads and streets to be addressed in the study. The consultant shall refine the preliminary definition of the study area presented in Exhibit 1.
2. **Inventory of Current Conditions** - Necessary background information will be collected and presented to the Committee on current land use patterns, travel behavior, and road and street conditions:

- o Current land use patterns will be documented and analyzed with attention focused on such key transportation demand variables as population, employment, and special traffic generators.
  - o Travel behavior and demand will be documented and estimated. Computer software used in this task must be approved by the Committee.
  - o The consultant will need to interview City, Town, County and State officials to obtain information describing existing street conditions.
  - o Information collected should include, but not be limited to: jurisdictional responsibility, functional classification, right-of-way, roadway width, number of lanes, pavement type and condition, capacity, level of service, traffic control devices, flood protection, drainage, maintenance levels, and accident rates.
  - o Cottonwood, Clarkdale, Yavapai County, the Northern Arizona Council of Governments (NACOG), and the Arizona Department of Transportation (ADOT) will provide readily available information germane to this study.
  - o The appropriate jurisdictions will provide recent traffic counts of record. Additional raw data counts can be coordinated with the consultant.
  - o The consultant is responsible for additional traffic counts and aerial photography.
3. **Future Conditions** - Future conditions and infrastructure requirements will be forecast for the years 2003, 2008, and 2018. In order to forecast travel demand, future land use patterns will need to be projected. These should be in accord with general land use plans, development plans, and population and employment projections.
- Land use projections will be translated into travel demands, and potential problem areas will be identified. Suggested improvement actions will be identified as well as cost estimates and projected time schedules. Financial alternatives necessary to implement the short, middle, and long range plans will be identified.
- The above information, along with input from local leaders, will enable the consultant to document future transportation conditions, infrastructure requirements, and transportation issues in the study area.
4. **Special Topics** - Particular emphasis should be directed toward the identification and implementation of appropriate solutions for problems in the following areas.
- A. Traffic impacts of new development.
  - B. Interior circulation and access within the greater study area.
  - C. Signalization Plan.
  - D. Mingus Avenue Extension.



- E. Identification of potentially hazardous locations due to deficiencies involving:
  - o sight distance
  - o intersection alignment
  - o street lighting
  - o left turn locations
  - o signing
- F. Recommend intersection point for proposed Collector Street between Broadway and Highway 89A.
- G. Recommendation of Pavement Management System.
- H. Recommendation of street design standards.
- I. Financing options to implement transportation plans and programs.

5. **Alternative Action** - Action plan to meet short, middle and long-range needs shall be developed. A list of specific projects to address current problems and short term needs in the next five years shall be developed. These projects must be prioritized and linked with financial options.

Middle and long range alternatives will include, but not be limited to right-of-way acquisitions, new facilities, road widening, and traffic control measures.

Alternative short and long-range options will be evaluated by a set of criteria that include funding prospects, construction costs, public development goals, private development responsibilities, levels of service, accident rates, and environmental issues.

6. **Public Input** - Public input will be solicited and documented. This shall include interviews with City and County elected officials, representatives of the business community and one public forum.

## 7. Study Products

- 1. Technical Memo No. 1 presenting:
  - o the study area boundary (approved by the Technical Advisory Committee)
  - o a detailed scope of work
  - o the project schedule
- 2. Working Paper No. 1 documenting existing conditions in the study area.
- 3. Working Paper No. 2 describing future conditions in the forecast years (2003, 2008, and 2018)
- 4. Draft Cottonwood Area Transportation Plan

5. Twenty-five (25) copies of the final Cottonwood Area Transportation Plan. Five of the twenty-five copies should be delivered to the Arizona Department of Transportation.
6. Twenty-five (25) copies of the Cottonwood Area Transportation Plan Executive Summary. Five of the twenty-five copies should be delivered to the Arizona Department of Transportation.
7. Two reproducible copies of the each working paper and the final Cottonwood Area Transportation Plan.
8. Transportation modeling software that can be maintained and updated by City/Town staff. This software shall be approved by the Technical Advisory Committee.

Documentation shall also include floppy diskettes in Microsoft Word 97 compatible format. Statistical data shall be documented on diskettes using a data base manager or spreadsheet application software which is Microsoft Office Professional (Access 97 and Excel 97) compatible.

#### IV. PROPOSAL CONTENT

1. **Identification** - A title sheet or equivalent which includes a short title for the proposed study; names and business addresses of the organization that will conduct the work; name, title, mailing address and telephone number of the principal investigator. The entire proposal shall be limited to no more than 10 (ten) pages.
2. **Table of Contents**
3. **Problem Statement** - A clear, concise statement of the problem that reflects the proposer's understanding of the issues to be studied.
4. **Objectives of the Study** - These are the technical objectives upon which the project team will focus attention and upon which study efforts are to converge. The objectives should identify clearly and concisely the products of the contract. The objectives stated in the proposal should reflect the proposer's intent, creativity, and understanding of the objectives.
5. **Project Work Plan** - This is the most important element of the proposal. The work plan should describe fully the study's tasks, including the submission of an acceptable final report and an executive summary. It should define the proposed approach as clearly as possible. The study methodology should be described in sufficient detail to permit an objective evaluation of the proposal. The work plan should be subdivided into the following sections:
  - A. **Introduction** - Set the stage for the presentation of the study plan.
  - B. **Study Approach** - Describe how the objectives will be achieved through a logical plan. The contribution of each team member should be identified in a table as follows:

- (1) The names of the team members. (NOTE: Any change in the team at any time must have the prior approval of the Project Manager.)
  - (2) Role of each team member
  - (3) Identify each team member's commitment to this project as a percentage of his/her total workload at the consultant firm. (Assume one person-month = 174 hours.)
  - (4) The number of hours each team member will spend on each task of this project.
  - ~~(5) The hourly rate for each team member and the total cost attributed to each team member and task.~~
  - (6) Show the organizational chart for the study and identify the project manager.
- C. **Presentation of Anticipated Products** - Show how the results of the study will be reported and presented.
- D. **Qualifications and Experience** - State the relevant qualifications and experience of each project team member.
- E. **Facilities and Equipment Available** - Include the location of the base of operation for this study.
- F. **Work Time Schedule** - Provide bar type progress charts to illustrate the scheduling and interrelationships among the major study tasks.
- G. **Personnel and Budget Estimates** - Provide a summary tabulation showing the staffing plan, ~~and costs for the study.~~ The payments to the consultant will be based on a lump sum method of compensation. ~~Consultant shall provide a detailed budget estimate, including the following:~~
- (1) The cost of personal services, broken down by hourly direct salaries and estimated hours.
  - (2) Overhead costs as a percentage of direct salaries.
  - (3) Other direct costs such as travel, lodging, meals, sub-contracting, computer time, report printing, etc.
  - ~~(4) Consultant's fee or profit.~~
- H. **Progress Reporting Procedures** - Indicate the format of the monthly reporting procedure to which the project team will adhere. The monthly progress report with an updated schedule should be limited to two pages. It should include at least the following:

- (1) Progress made in terms of the specific activities that were completed
- (2) Information generated
- (3) Contacts made
- (4) Summary of task reports
- (5) Percentage of the study completed
- (6) Costs incurred
- (7) Next month's activities

- I. **Cooperative Features** - If assistance in the form of personnel, data, or equipment is required from other organizations, the proposal must describe the plans, including letters of commitment for obtaining such help or information.

## **V. SUPPORT MATERIAL**

- A. **Relevant Experience and References** - Describe the consultant firm's experience in performing studies similar to that anticipated by this Request for Proposals. Include the following:
  - (1) Inclusive project dates
  - (2) Name and address of the organization for whom the project was performed
  - (3) Name and telephone number of an individual in the client's organization who is familiar with the study.
  - (4) A short description of the study
- B. **GSA Form 254**
- C. **Arizona Department of Transportation EEO Report**
- D. **Notification of Any Potential Conflict of Interest**
- E. **Appendices** - The appendices may include a detailed resume of each team member, abstracts of previous similar studies, or any other information which may be useful to the Technical Advisory Committee in evaluating the firm's proposal.

The proposal shall be signed by a representative or officer authorized to bind the offer. Individuals of the offering organization authorized to negotiate a contract based on the proposal shall be identified by name, title, address and telephone number. Ten (10) copies of the proposal shall be submitted.

Transportation Plan by the City of Cottonwood, Town of Clarkdale and the Arizona Department of Transportation.

## **VI. COMPENSATION**

All work and the study's products shall be completed to the satisfaction of the City of Cottonwood based on recommendation by the Technical Advisory Committee.

Progress payments will be made upon request submitted by invoice following satisfactory review by the City of Cottonwood and the Technical Advisory Committee.

Ten (10) percent of the consultant's billing will be withheld pending official acceptance of the final report by the City of Cottonwood Council.

## **VII. SELECTION PROCESS**

In addition to the items covered in the study objectives and proposal content noted above, the Technical Advisory Committee will evaluate the following items as part of their review process.

1. Responsiveness to the information and details contained within the scope of work.
2. Consistency of the work plan with the study objectives.
3. Familiarity with the needs of the communities within the study area.
4. The education and experience of the project team.

The Committee reserves the right to call for oral interviews of the top firms prior to award.

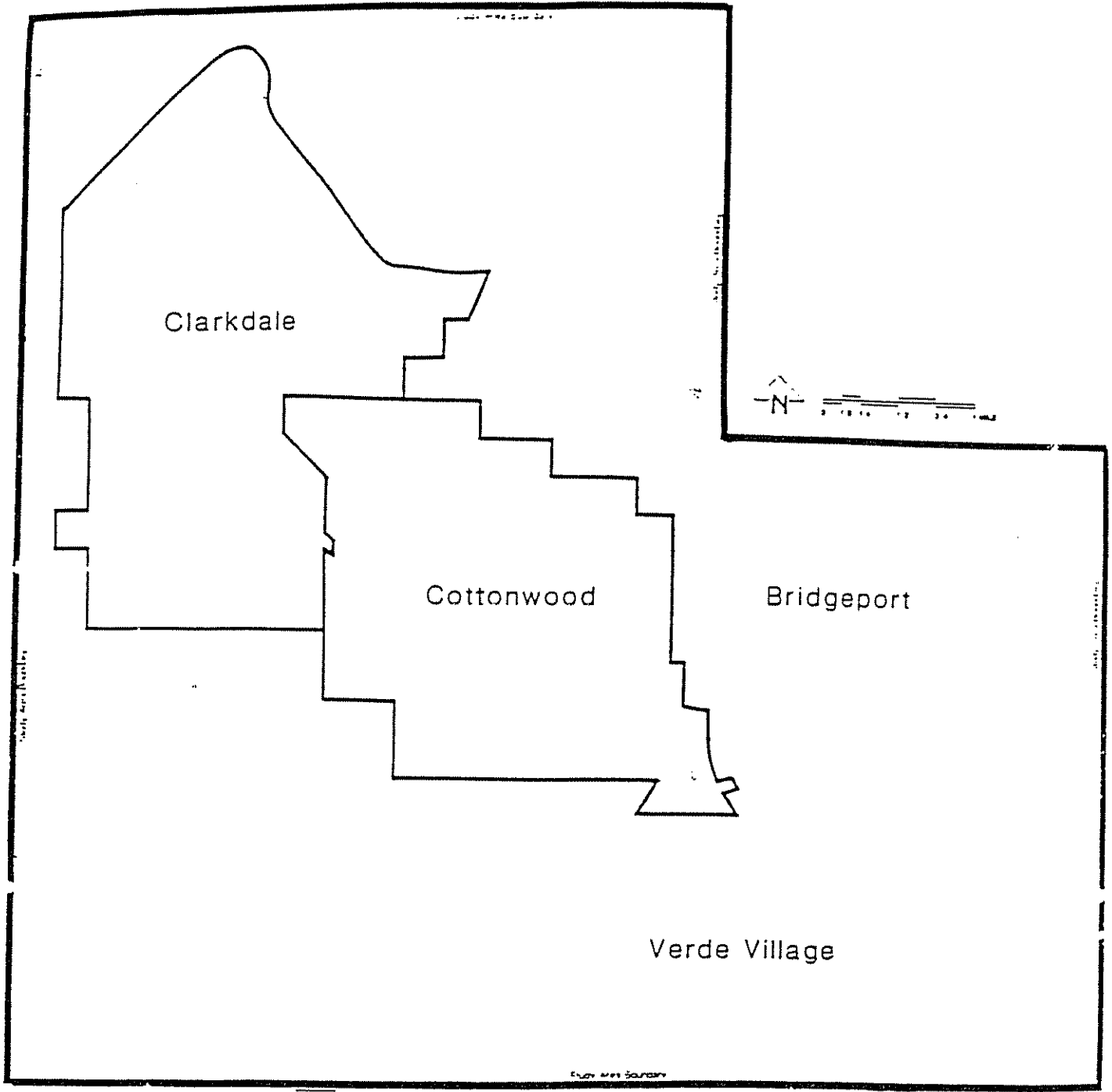
## **VIII. PROPOSAL SUBMISSION**

The deadline for submittal of proposals to the City Clerk's office is April 24, 1998 . Ten (10) copies of the proposal, with the consultant qualifications and technical information sealed separately from the price proposal, are to be provided to:

City Clerk  
City of Cottonwood  
827 North Main Street  
Cottonwood, Arizona 86326

Questions concerning the request should be directed to Mr. Robert Hardy, Staff Engineer, City of Cottonwood (520-634-8033).

# EXHIBIT ONE



## Cottonwood Area Transportation Study 1-2

Towns of Cottonwood & Clarkdale · Bridgeport & Verde Village

### Study Area Map

- Study Area Boundary
- Town Boundaries

## ***EXHIBIT TWO***

### ***Title VI Concerns.***

On February 11, 1994 President Clinton issued Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low Income Populations*. This Order establishes environmental justice as a federal government priority. This study will address environmental justice issues in the following manner.

1. The transportation improvement projects recommended in this study may differentially affect Yavapai County workers and residents. This study will examine the effects these projects are likely to have on minority populations. Census information provides readily available information describing the population living within geographic regions affected by proposed transportation improvements. This census information enables graphic representation of minority and low-income populations in the study area.
2. Identify and discuss environmental justice issues and concerns that bear on this regional transportation study. Discuss how the recommended projects will potentially affect minority populations. Describe the likely effects, both positive and negative, and the magnitude of these effects. Should any of the projects place a disproportionate burden on minority or low-income populations, explain the considerations that dictated this recommendation over alternative actions.
3. Make a concerted effort to reach minority and low-income populations when conducting the study's public meeting.
4. Document the study's public participation process including efforts to address environmental justice issues and concerns.







STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

TRN Main: (602) 542-1680

Direct: (602) 542-8837

Fax: (602) 542-3646

MAIN PHONE : 542-5025

TELECOPIER : 542-4085

GRANT WOODS  
ATTORNEY GENERAL

**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR98-0655TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATE May 26, 1998.

GRANT WOODS  
Attorney General

JAMES R. REDPATH  
Assistant Attorney General  
Transportation Section

JRR:et/12629

Enc.